IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

WP(C).No. 20922 of 2007(N)

PETITIONER:

T.V.GEORGE, THOPPIL HOUSE, KODIKULAM P.O
THODUPUZHA (RETD. SECRETARY, THE THODUPUZHA
PRIMARY CO-OPERATIVE AGRICULTURAL AND RURAL
DEVELOPMENT BANK LTD. NO.4388, THODUPUZHA)

BY ADV. SRI.MATHEW JOHN (K)

RESPONDENTS:

---

1. THE SECRETARY, THE THODUPUZHA PRIMARY
CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT
BANK LTD.NO.4388, THODUPUZHA.

2. THE ADDITIONAL REGISTRAR/SECRETARY,
KERALA STATE CO-OPERATIVE EMPLOYEES
PENSION BOARD, CHINMAYA LANE, TRIVANDRUM.

BY ADV. SRI.P.V.BABY FOR R1
ADV.SRI.P.V.MOHANAN FOR R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	TRUE COPY OF THE LETTER DTD. 27-9-03 BY R1 TO THE PETITIONER
EXT.P2	TRUE COPY OF THE LETTER DTD. 28-11-03 BY DO. TO DO.
EXT.P3	TRUE COPY OF THE LETTER BY THE PETITIONER TO R2
EXT.P4	TRUE COPY OF DO. DO. DO.
EXT.P5	TRUE COPY OF THE LETTER DTD. 20-04-06 BY THE PETITIONER.
EXT.P6	TRUE COPY OF THE LETTER DTD. 6-12-06 BY THE PETITIONER.
EXT.P7	TRUE COPY OF THE RECEIPT EVIDENCING PAYMENT OF RS. 51,000/-
EXT.P8	TRUE COPY OF THE LETTER DTD. 30-05-07 BY THE PETITIONER.

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

\- -

W.P.(C).No.20922 OF 2007

\- -

Dated this the 20th day of August, 2007

JUDGMENT

Petitioner has approached this court for a direction to the respondents to take immediate steps to disburse the pensionay benefits payable to the petitioner under the Pension Scheme without any further delay. Petitioner also seeks a direction to the first respondent to pass orders on Ext.P8. Case of the petitioner is that petitioner has complied with the requirements of Clause 38(a)(a) of the Pension Scheme and it is obligatory on the part of the 2nd respondent to take immediate steps to disburse the pensionay benefits payable to the petitioner. Petitioner relies on Ext.P8.

Counter affidavit is filed by the 2nd respondent. Therein it is interalia stated as follows:

> " Instead, a formal pension application of Sri.T.P.George was seen received in this office during 2006. Since the application was not in proper form verification was not conducted and

> demand notice was not issued to the bank. Without submitting the application with all particulars including the service records, details of salary drawn, and total qualifying service etc. the Board is not in a position to verify whether the petitioner is eligible for getting pension under the scheme."

The writ petition is disposed of directing the first respondent to forward the application relating to the petitioner in the proper form with all particulars including service records, details of salary drawn and total qualifying service etc. within a period of three weeks from the date of production of a copy of this judgment, if it is not forward already. The second respondent will within three weeks of receipt of the application in the proper form and the details as stated above, sanction the payment of pensionay benefits to the petitioner.

(K.M.JOSEPH, JUDGE)

sv.